

REMARKS

This paper is in response to an Office Action dated October 26, 2004, in which the Office issued a requirement that Applicant elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

The Office Action states that the subject application contains claims directed to the following distinct species:

<u>Species</u>	<u>Figure(s)</u>
I	1
II	2
III	3
IV	4
V	5
VI	6
VII	7
VIII	8

With respect to the election requirement, Applicant elects **with traverse** Species I. Claims 1-7, 9, 16-18, and 20-23 read on the example shown in Fig. 1 (Species I). FIG. 1 illustrates the generation of a correction signal for adding to an amplified peak reduced input signal. It should be noted that, Fig. 2 illustrates the generation of a correction signal for adding to an amplified peak reduced input signal, as similarly disclosed in the discussion of FIG. 1. Fig. 3 illustrates the generation of a correction signal for adding to a peak reduced input signal prior to amplification of the peak reduced input signal, as similarly disclosed in the discussion of FIG. 1. Fig. 4 illustrates predistortion of channels of a peak reduced input signal including adding of correction signals prior and/or after amplification. Both predistortion and the adding of corrections signals to a peak reduced input signal are discussed with respect to Fig. 1. Figs. 5 and 6 illustrate adding an anti-peak signal to the input signal to provide a peak reduced input signal and adding a correction signal to the peak reduced input signal, also disclosed in the discussion of FIG. 1. Fig. 7 illustrates employing a clean reference signal to generate a correction signal for


adding to a peak reduced input signal. Fig. 8 illustrates the amplifier system of FIG. 1 residing in a transmitter of a base station. It is to be appreciated that Figs. 2-8 illustrate examples of possible embodiments of employing the correction signal for correcting a peak reduced input signal and thus should not be considered species for purposes of prosecution.

It is noted that, in contrast to the assertion in the Office Action, claims 1, 16 and 20 are generic to all species suggested by the Examiner. Additionally, applicant's representative does not believe that there would be a series burden on the Examiner if a restriction is not required, and thus at least the second criteria for a proper requirement for restriction has not been met. (See MPEP § 803.02, § 806.04(a) - § 806.04(i), § 808.01(a) and § 808.02). Therefore, the Examiner's basis relied upon for the restriction is improper.

Therefore, Applicant requests reconsideration and withdrawal of the election/restriction requirement. Should the Examiner believe that a telephone interview would be helpful to expedite prosecution, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

A substantive examination of the above-identified patent application on its merits is respectfully requested.

Respectfully submitted,



Christopher P. Harris
Reg. No. 43,660

TAROLLI, SUNDHEIM, COVELL, & TUMMINO LLP
526 Superior Avenue
1111 Leader Building
Cleveland, Ohio 44114
Telephone: (216) 621-2234 x104
Facsimile: (216) 621-4072